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SENATE BILL 1235

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

NANCY E. RODRIGUEZ

AN ACT

RELATING TO EDUCATION; AMENDING REQUIREMENTS FOR ADMISSION TO STATE INSTITUTIONS FOR HOME SCHOOL OR NON-PUBLIC SCHOOL STUDENTS; REQUIRING PUBLIC SCHOOLS TO ENROLL TRANSFERRING HOME SCHOOL OR PRIVATE SCHOOL STUDENTS AT THE LEVEL APPROPRIATE TO THEIR AGE AND TEST SCORES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-1-1 NMSA 1978 (being Laws 1912, Chapter 83, Section 2, as amended) is amended to read:

"21-1-1. [~~ED-~~] STATE INSTITUTIONS-- [~~SUPPORT AND MAINTENANCE; STUDENTS EXAMINATION~~] ADMISSION REQUIREMENTS TO BE ESTABLISHED BY BOARDS OF REGENTS. -- [~~Sec. 145-~~]

A. The respective boards of regents of [~~the New Mexico College of Agriculture and Mechanic Arts, the New Mexico School of Mines~~] New Mexico state university, New Mexico

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1 institute of mining and technology, the university of New Mexico
2 and the New Mexico military institute at Roswell shall determine
3 and fix the standard of requirements for admission to their
4 respective institutions.

5 B. In determining the standard of requirements for
6 admission to their respective institutions, boards of regents
7 shall not require a student who has completed the requirements
8 of a home-based or non-public school educational program, and
9 who has submitted test scores that otherwise qualify him for
10 admission to that institution, to obtain or submit proof of
11 having obtained a general education development certificate. In
12 determining requirements for admission, boards of regents shall
13 evaluate and treat applicants from home-based educational
14 programs or non-public schools fairly and in a nondiscriminatory
15 manner. "

16 Section 2. Section 22-1-4 NMSA 1978 (being Laws 1975,
17 Chapter 338, Section 1, as amended) is amended to read:

18 "22-1-4. FREE PUBLIC SCHOOLS--EXCEPTIONS--WITHDRAWING AND
19 ENROLLING.--

20 A. Except as provided by Section 24-5-2 NMSA 1978, a
21 free public school education shall be available to any school-
22 age person who is a resident of this state and has not received
23 a high school diploma or its equivalent.

24 B. A free public school education in those courses
25 already offered to persons under Subsection A of this section

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1 shall be available to any person who is a resident of this state
2 and has received a high school diploma or its equivalent if
3 there is available space in such courses.

4 C. Any person entitled to a free public school
5 education under this section may enroll or re-enroll in a public
6 school at any time and, unless required to attend school
7 pursuant to the Compulsory School Attendance Law, may withdraw
8 from a public school at any time.

9 D. Local school boards shall promulgate regulations
10 concerning the enrollment and re-enrollment of all persons. In
11 adopting and promulgating non-discriminatory regulations
12 concerning the enrollment of students transferring from a home
13 school or private school to the public schools, the local school
14 board shall provide that the grade level at which the
15 transferring student is placed is appropriate to the age of the
16 student, to the student's score on a student achievement test
17 administered according to the statewide and local school
18 district testing programs as determined by the state
19 superintendent, or both."

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
3
4

5 March 5, 1997
6

7 Mr. President:
8

9 Your EDUCATION COMMITTEE, to whom has been referred
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11 SENATE BILL 1235
12

13 has had it under consideration and reports same with
14 recommendation that it DO PASS.
15

16 Respectfully submitted,
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21 Cynthia Nava, Chairman
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25 Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 9 For 0 Against

Yes: 9

No: 0

Excused: Pinto

Absent: None

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

March 17, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

SENATE BILL 1235

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Samuel F. Vigil, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HEC/SB 1235

Page 7

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Beam, Miera, Nicely, Trujillo, S.M Williams

Absent: None

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